

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

JAMES EDWARD LEWIS,	§	
aka Sean Al Anderson,	§	
TDCJ Nos. 433596, 619093, 819914,	§	
970279, & 1040551,	§	
	§	
Petitioner,	§	
vs.	§	CIVIL ACTION H-05-4046
	§	
DOUGLAS DRETKE,	§	
	§	
Respondent.	§	

ORDER OF DISMISSAL

James Edward Lewis also known as Sean Al Anderson, an inmate in the Texas Department of Criminal Justice, has filed an action using a habeas corpus form petition. Lewis raises habeas corpus claims in the petition. However, most of the 73 pages of his petition do not concern a habeas corpus challenge—they concern matters in the nature of civil-rights claims relating to the conditions of his confinement.


Lewis has filed more than fifty (50) other cases in the federal courts, including about fifteen (15) habeas corpus petitions. Several courts have sanctioned and barred Lewis for his relentless abuse of the federal courts. The U.S. District Court for the Northern District of Texas, barred Lewis “from filing any future civil rights or other complaints, motions, or habeas petitions without permission from a United States District Judge or a Circuit Judge of the Fifth Circuit and any request to file proof of

exhaustion must accompany a habeas petition of state court remedies.” *See Lewis v. Cockrell*, 5:02mc001 (N.D. Tex.). On February 1, 1994, the U.S. District Court for the Southern District of Texas issued a Policy Statement concerning prisoners who have been sanctioned in other U.S. District Courts in Texas. Under the Policy Statement this Court will, to the extent comity and justice require it, enforce the sanction orders imposed by other federal district courts in Texas.

There is no showing that Lewis has sought or been granted permission by any district or circuit judge nor submitted a request to file this petition. He has not attached proof of exhaustion of state court remedies. Given Lewis’s serious abuse of the federal courts this Court would not have granted Lewis permission to file had he sought it.

Because Lewis has not fulfilled the requirements of the Northern District’s bar order and because of his serious abuse of the federal courts, Lewis should not be allowed to go further in this case. Accordingly, it is ORDERED that this case be DISMISSED. Lewis’s Motion to Proceed *In Forma Pauperis* [Docket Entry No. 2] is DENIED.

SIGNED at Houston, Texas, on this 30th day of November, 2005.



DAVID HITTNER

United States District Judge

